

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

jWIN Electronics Corporation,

V.

SUMMONS IN A CIVIL ACTION

iCube Corporation, iCube America Corp., and
iCube America Corporation.

CASE NUMBER: 07-CV-9459

TO: (Name and address of Defendant)

iCube America Corporation
c/o Pan Gun Kim, Registered Agent
6131 Orange Thrope Ave., #265
Buena Park, CA

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Abigail Diaz-Pedrosa
KIRKLAND & ELLIS LLP
153 East 53rd St.
New York, NY 10022-4611
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

CLERK

J. MICHAEL McMAHON

DATE

OCT 23 2007

(By) DEPUTY CLERK





B 151- Affidavit of Service of Summons or Subpoena: Personal or Alternative Methods: Corp. or Ind.; Military Service, 10 pt. type, 1-95

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COURT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COUNTY OF

JWIN ELECTRONICS CORPORATION,

Plaintiff(s)

against

ICUBE CORPORATION, ET AL.,

Defendant(s)

Index No. 07-CV-9459

**AFFIDAVIT OF
SERVICE OF SUMMONS
(XXXXXX COMPLAINT)**

SEE ATTACHED RIDER

CALIFORNIA
STATE OF ~~NEW YORK~~, COUNTY OF ORANGE SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides ~~in~~ IN THE STATE OF CALIFORNIA
That on 1/24/08 at 12:45PM., at 6131 ORANGE THORPE AVE, #265, BUENA PARK, CA
deponent served the within ~~summons and complaint~~ on ICUBE AMERICA CORPORATION defendant therein named,
SEE ATTACHED RIDER C/O PAN GUN KIM, REGISTERED AGENT

INDIVIDUAL

1. ☒

CORPORATION

2. ☐

SUITABLE AGE PERSON

3. ☐

AFFIXING TO DOOR, ETC.

4. ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.

by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 45A. ☐MAILING TO
BUSINESS
USE WITH 3 OR 45B. ☐DESCRIPTION
USE WITH
1, 2, OR 3☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to and deposited defendant at defendant's last known residence, at said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.
Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

<input checked="" type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input checked="" type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input checked="" type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input checked="" type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.☐MILITARY
SERVICE☐

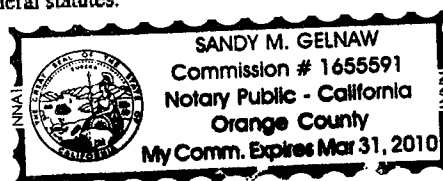
The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on

24 Jan 08

Sandy M Gelhaw



William Gelhaw
WILLIAM GELNAW

License No. 2010 ORANGE
COUNTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X Case No. 07-CV-9459

jWIN ELECTRONICS CORPORATION,

vs.

RIDER TO
AFFIDAVIT
OF SERVICE

iCUBE CORPORATION, ET AL.,

-----X

LIST OF DOCUMENTS SERVED:

- Summons in a Civil Action;
- Notice of Petition and Petition to Compel Arbitration;
- Petition to Compel Arbitration Pursuant to Parties' Agreement;
- Exhibits A to C;
- Procedures for Electronic Case Filing;
- Guidelines for Electronic Case Filing;
- 3rd Amended Instructions for Filing an Electronic Case Filing;
- Individual Rules of the Honorable Alvin K. Hellerstein Southern District of New York; and
- Individual Practcies of Magistrate Judge Michael H. Dolinger.